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1 CHAIRMAN WIECZOREK: I'm going to call this meeting to order.
2 I am Raymond Wieczorek, Councilor of
3 District 4 and Chairman of the Special
4 Committee appointed by the Governor and
5 Executive Council. On my left is
6 Councilor Raymond Burton who
7 incidentally, is now the longest serving
8 councilor in the history of the State of
9 New Hampshire. He's in his 31st year, so
10 we're pretty proud of him. And Councilor
11 Shea is supposed to be here, but he
12 probably got lost on the way from Nelson.
13 He's on his way. So, we have Ray
14 Chadwick that's going to be sitting in on
15 my right and he will sit in until
16 Councilor Shea gets here and if he
17 doesn't get here, then Ray, you're stuck
18 with us. This hearing is concerned with
19 the layout of a section of U.S. Route 3
20 in the Town of Bedford. It is pursuant
21 to RSA 230:45 and the Surface
22 Transportation and Uniform Relocation
23 Assistance Act of 1987. The purpose of
24 this hearing is to determine the
necessity of the occasion of the layout
and to hear evidence of the economic and
social effects of such a location, its
impact on the environment and its
consistency with the goals and objectives
of such local planning as has been
undertaken by the town. Following the
hearing the Special Committee will
evaluate all matters brought to our
attention and make definite decisions
relative to the layout. It is,
therefore, important that all individuals
desiring to make suggestions do so
tonight. I would remind you that you
have ten days from the date of this
hearing to submit any other material you
would like considered by this Special
Committee. Before opening the floor to
questions, I will first ask Mr. Alex
Vogt, project manager of the New
Hampshire Department of Transportation,
to present, in a formal manner, the
layout which he has proposed. After this
I will open the floor to those who wish

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1 to address the Special Committee. I will
2 request that all desiring to speak
3 signify their desire and upon recognition
4 by me step to the microphone, state their
5 name and address, and make their
6 statements. This hearing is being
7 recorded and a transcript will later be
8 prepared. Mr. Vogt will now present the
9 layout. Mr. Vogt.

ALEX VOGT:

10 Thank you Mr. Chairman, members of the
11 Special Committee, ladies and gentlemen.
12 Good evening. Before I get started I
13 will introduce some of the folks that are
14 with the Department tonight. On my left
15 is Victoria Chase from the Bureau of
16 Right-of-Way. To her left is Cathy
17 Goodmen from the Bureau of Environment.
18 And near the boards is Trent Zanes from
19 our Preliminary Design Engineer Section
20 who will present the plans this evening.
21 Tonight we're here to present the bridge
22 replacement of U.S. Route 3 or the F.E.
23 Everett Turnpike. The proposed
24 improvements will also widen U.S. Route 3
to match the Department's Route 3 policy
dated October 1988 to a five-lane
ultimate lane section and extend
southerly to include the nearby
signalized intersection of Hawthorne
Drive. The purpose of the project is to
replace the bridge which was built in
1955 and it is on the Department's Red
List. It's in poor shape and needs to be
fully replaced. I do want to note that
even though it is on the Department's Red
List, it is in safe condition and the
rating is such that it needs to be
replaced and we do inspect it every six
months. Following the meeting tonight
and the comment period, we will address
all the questions and concerns raised by
the Commissioner of the Department of
Transportation and a Commission hearing
will be held later this summer that will
either accept or reject the necessity for
the project. Following the Commission
hearing, final plans will be developed
and the necessary right-of-way and

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1 easements would be acquired. Currently
2 the project is scheduled to advertise in
3 September of 2011. Construction would
4 take place during 2012 and 2013 and there
5 would be final completion in the spring
6 of 2014. Estimated cost of the project
7 is about \$14 million, including the
8 construction, right-of-way and
9 engineering, however, the exact cost will
10 not be known until it actually goes out
11 to bid. Funding is 100 percent turnpike
12 funds as the bridge goes over the F.E.
13 Everett Turnpike. It is a bridge owned
14 by the turnpike. There may be some funds
15 required from the Town of Bedford for any
16 utilities that may be impacted. We do
17 know there's water lines in the area of
18 the project. We will keep impacts to a
19 minimum. As part of the project,
20 additional right-of-way and easements are
21 required, so at this time I will have
22 Victoria Chase explain the right-of-way
23 process.

13 VICTORIA CHASE:

14 Thank you Alex, members of the Special
15 Committee, ladies and gentlemen. Before
16 I go into the right-of-way procedures for
17 this project there are a couple of things
18 I'd like to mention. First, as Councilor
19 Wieczorek mentioned that if anyone wishes
20 to submit additional testimony as a
21 result of the hearing in regards to the
22 plans we're going to describe, you can
23 address the material to Chairman
24 Wieczorek and mail it to the address
shown on the hearing handout which is
available on the table behind us, within
ten days of tonight's hearing. And I
think actually we might need to make it
11 because I think that's a Sunday, so
say the Monday after the ten days. I
don't know the exact date, but. And it
will become part of the official record.
It will receive equal consideration to
anything presented tonight. We also have
with us tonight copies of a handout
entitled, "Your Land and New Hampshire
Highways", which describes the Right-of-
Way Acquisition and Relocation Assistance

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Procedures that are used when we approach a project like this. The handout is useful for the property owners that are affected by the proposed project. They are again, available on the table at the door behind us. If, after reviewing the information received at the hearing and during the ten-day comment period, Chairman Wieczorek and the Special Committee find necessity for this layout, several things will happen. First, the Department will be preparing appraisals for each of the properties affected by the project as we see here tonight. The appraisals will reflect the fair market value of the property rights needed for the construction. Prior to starting negotiations, the appraisals are reviewed separately to see that all are accurate and have taken into account all applicable approaches to value. The value in the reviewed appraisal will be the offer of compensation used as the basis for negotiations. A right-of-way agent will contact each property owner and discuss each acquisition separately. We encourage you at that time to bring up any issues that you feel need to be addressed or should have been considered in the appraisal, and hopefully there have been. If the property owner is satisfied the offer, deeds are prepared and ownership is transferred to the state. If the property owner is not happy with the figures offered, they can appeal to the New Hampshire Board of Tax and Land Appeals and argue for additional compensation there. It is important to understand that this can be done with or without an attorney. It is also important to understand that either party can appeal the Board's decision to the Superior Court if they are unsatisfied. Any time after this hearing and before design approval, all information in support of the hearing is available at the Department's headquarters in Concord for your inspection and copying. This

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2
3 ALEX VOGT:
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project will be administered according to the requirements of the Title VI of the Civil Rights Act of 1964 and related statutes to ensure non-discrimination. That's all I have Alex. Thank you. Thank you Victoria. As part of any project, the Department also needs to document and consider all environmental issues. At this time I will have Cathy Goodmen review the environmental concerns.

7 CATHY GOODMEN:
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Thank you Alex. Good evening members of the Special Committee, Bedford public officials, ladies and gentlemen. In accordance with the National Environmental Policy Act, New Hampshire Department of Transportation has considered alternatives to the proposed project and has evaluated potential impacts this project will have upon the surrounding social, economic and natural environments. Coordination was undertaken and input received from federal and state agencies including Federal Highway Administration, U.S. Army Corps of Engineers, U.S. Fish and Wildlife, New Hampshire Fish and Game, New Hampshire Department of Environmental Services, New Hampshire Office of Energy and Planning, New Hampshire Department of Resources and Economic Development, New Hampshire Natural Heritage Bureau and the New Hampshire Division of Historic Resources. In addition, input was received from town and regional officials and the general public. After evaluation of the information gathered, an Environmental Study was prepared. The following is a summary of the major issues contained in that document. In accordance with Section 106 of the National Historic Preservation Act of 1966, the NHDOT in coordination with Federal Highway Administration, must take into account the impacts of the project on cultural resources. An historic study of the F.E. Everett Turnpike corridor is currently underway to determine if it is

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1 eligible for placement on the National
2 Register of Historic places. If the F.E.
3 Everett Turnpike is eligible, then the
4 replacement of the bridge will be
5 considered an adverse affect and the
6 historic study of the corridor will
7 satisfy the mitigation requirements. A
8 Phase I-A and I-B archaeological survey
9 will be completed in the area of the
10 storm water detention basins prior to
11 construction to determine if there are
12 any prehistoric resources. There are no
13 direct wetland impacts at this time, so a
14 Wetlands Bureau permit is not required.
15 Due to the increase in pavement, we are
16 providing detention ponds and they would
17 be included as part of the treatment of
18 the storm water to maintain the water
19 quality of the runoff. The contractor
20 will be required to prepare an Erosion
21 Control Plan and Storm Water Management
22 Plan specific to the project prior to the
23 start of any construction activities to
24 protect adjacent sensitive resources.
Standard pollution prevention measures
will be employed to ensure all negative
impacts are avoided or minimized. Access
to all properties will be maintained
throughout construction. If anyone knows
of any other environmental or cultural
resources within the project area, please
let us know tonight or within the ten-day
comment period. I also have two copies
of the Environmental Document here if
anyone wants to look through them.
You're welcome to after the meeting.
Thank you Alex.
ALEX VOGT: Thank you Cathy. Now, I'll have Trent
Zanes review the plans on the wall and
talk about the proposed design. Trent.
TRENT ZANES: Thank you Alex. Let me start off
looking at the area plan for anyone
who is not familiar with the project
area. This is the F.E. Everett
Turnpike here and 293 and 101. Route
3 comes south here. This is the
Target and Lowe's today. A new hotel
was constructed in the southeast

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1 quadrant of the bridge and then we
2 have Hawthorne Drive which curves
3 around here. The existing condition
4 of the bridge today is, as Alex
5 mentioned, it was constructed in 1955
6 and it is structurally deficient. We
7 can't rehabilitate the bridge, we need
8 to reconstruct it. We looked at
9 several options for constructing it on
10 either side and we get into that with
11 the proposed work. The existing
12 bridge was constructed with I-beams
13 and a concrete deck. It has 150' span
14 over the turnpike and the bridge
15 itself has 30' from curve to curve on
16 top for two lanes and shoulders and
17 has, today it has sidewalks on either
18 side, but only for the length of the
19 bridge itself. U.S. Route 3 has two
20 12-foot lanes and four-foot shoulders
21 beginning and after the intersection
22 of Target and Lowe's, it narrows down
23 to two 12-foot typical coming across
24 the bridge and then it widens out to a
three-lane section to provide a left-
turn lane onto Hawthorne Drive. The
posted speed today is 30 miles an hour
along here and then right about here,
it starts to become a 35 mile an hour
zone, which continues to the south.
The F.E. Everett Turnpike is a four-
lane divided highway with a posted
speed of 55 miles an hour. And so, as
I have already pointed at the plan,
let me go over what some of these
different colors mean and what exactly
those plans are intended to represent.
Starting off with the existing
conditions, all this gray you see
through here, this is the existing
pavement and concrete and sidewalks.
The dark green represents trees and
wooded areas. This dark gray
represents ledge, which is abundant in
this area, and the red squares are all
the existing buildings that are out
there today. So, getting into the
proposed work, what you see is the

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1 yellow would represent the travel
2 lanes or the width from white line to
3 white line. In this case we have a
4 center median which is represented
5 with the light green, this is a raised
6 median. And the brown, this is a
7 silver brown on either side which
8 represents a five-foot shoulder, and
9 then a five-foot sidewalk on both
10 sides of the roadway starting here at
11 the Target-Lowe's intersection
12 proceeding south throughout the
13 project to Hawthorne Drive. There is
14 an existing sidewalk here on Hawthorne
15 Drive, which we're connecting into and
16 then to the north we have this
17 existing sidewalk on the eastern side
18 or the northern side of Route 3 here
19 and it only runs about this far.
20 We're proposing to bend this sidewalk
21 as far as this intersection because we
22 understand that there's a development
23 that is currently looking to construct
24 in this quadrant of the bridge here.
To make this a four-legged
intersection. Ultimately, the
sidewalk will be tiered through to the
north. The plan below what you see
this is the profile of the road where
the new Route 3 will be, so this shows
the rise and fall of the road. The
yellow represents the proposed roadway
and the brown shows the existing
ground. It's important to note that
it's the existing ground not the
existing roadway because this is not
the Route 3 existing right now that's
where we're pushing off over here that
where were are off on terrain that is
not roadway. So, what we've done here
is we've looked at a number of options
for replacing the bridge. Keeping in
mind, as Alex said, there's a 1988
Department policy for U.S. Route 3
which calls for two lanes northbound,
two lanes southbound and a center turn
lane. What we did is we looked at
constructing the bridge to the north

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and, therefore, we'd be able to keep existing traffic on the existing bridge during the construction. This would need less time because if we were...some people have already asked if we were to build two lanes or half the bridge here and then move the traffic over and then complete the bridge, it's more traffic phasing as we call it and more construction phasing and so it would take more time, which means more money. So we had the existing right-of-way, which comes out through here there's a lot of right-of-way out there today for us to do this construction, which usually we don't find and not allowed us to provide this and to keep the traffic on the existing bridge and do the full construction out here. Another consideration for this was the widening of the turnpike. In the future, the turnpike will need to be wider than it is today to handle the traffic that's coming through. So, this is the time when we need to construct the proper span for the bridge to allow future widening of the turnpike. We did some analysis and we found where we believe we need to have the rear abutments for the bridge. So we now have instead for 150' span we have two 100' spans making the bridge approximately 200' long. Then, starting here Target-Lowe's matching into the existing roadway here typical crossing the proposed bridge and then carrying this wider typical section down through to Hawthorne Drive, one of the reasons we went with this full width, was our final design team looked at traffic control not only on this section here, but we're going to need to keep three lanes open at this intersection to provide for the capacity that's there today. So, we needed to build that roadway wider anyways whether it was temporary

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1 pavement or temporary widening, and so
2 we felt it was just reasonable to go
3 ahead and widen the pavement out to
4 the ultimate typical road that was
5 laid out in the department's policy.
6 So what you see is we now have two
7 lanes southbound and two lanes
8 northbound as proposed to just a two-
9 lane section today. That would
10 improve capacity at this intersection
11 and what we have done just south of
12 the intersection is taken a right-turn
13 lane that was constructed recently for
14 the veterinary clinic and we've
15 converted that to a through and a
16 light, and then coming south we're
17 continuing the two lanes southbound
18 through the intersection and then this
19 orange area, which I didn't mention
20 orange yet, this is actually where
21 we'll be widening and overlay the
22 road, what means we'll be widening the
23 box material underneath the roadway to
24 provide the additional width and then
we'll overlay the whole roadway in
this area so that it all matches in.
So I touched on the ledge a little.
That's going to be an issue for
construction. We'll be blasting this
ledge to the north and then starting
construction on the bridge, following
the bridge and having the traffic move
over, and then will remove the
existing bridge and remove the ledge
just about 50' or so to the south of
where the bridge is today. That's
going to cause some delays in traffic.
What we're expecting is we'll have
rolling roadblocks that will stop
traffic on the turnpike, do the
blasting, get out there and clean it
up and meanwhile the traffic gets
started again at a slow speed and
we'll proceed them through. We're
going to try not to hold traffic for a
sufficient period of time. Someone
mentioned before the meeting that
there has been a lot of blasting in

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1 this area for the hotel and for the
2 Target-Lowe's and this is just going
3 to be another extension of that,
4 unfortunately. As I said, the bridge
5 construction, because we're building
6 offline, we're eliminating a lot of
7 the different phasing we would
8 require, and that will reduce some of
9 the cost. And the road widening, as I
10 said, will widen out to match the
11 ultimate department policy for Route
12 3. I'll discuss some of the traffic
13 control, and another issue that we
14 have is drainage because with the new
15 sidewalks on either side of Route 3,
16 we'll be trapping the water on the
17 roadway, today it just runs off the
18 sides. We're going to be keeping it
19 on the pavement and so we need to
20 channel it into a close drainage
21 system and then find a place to treat
22 it and outlet it. So you can see a
23 number of places where we have we have
24 cross pipes, these are preliminary
designed, a drainage system that we
have detention basins that we'll need
to catch the water, let it settle and
then treat it and then let it out to
an ultimate outlet, that our teams
have identified. The first detention
pond is right here on the northwest
quadrant going by South River Road
(inaudible) and its elbows along the
existing right-of-way for the
turnpike. Another location will be up
here, near the Bedford Hotel Group and
we're also looking at a drainage
easement to provide an outlook for
this water out across through the
International Church of the Foursquare
Gospel. Another consideration during
construction is that we may not be
able to provide full access to the
Lowe's property here along Station
Road and so we're proposing to have a
temporary access easement through here
if necessary and then further to the
south we have identified one area here

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1 that if we can't treat all of our
2 water in this location and then
3 further to the south, which I'll get
4 to that one if necessary, we have a
5 fourth location, but right now we're
6 feeling that we can catch the drainage
7 here and treat it up there and then
8 further to the south there is an
9 existing drainage outlet and that
10 today is in poor condition and we're
11 looking to do is expand that, clean it
12 up, make it function better and handle
13 the increase water that we will be
14 sending down this way. So in terms of
15 right-of-ways I mentioned that we are
16 fortunate there is a lot of right-of-
17 way layout from earlier projects.
18 This section to the north of the
19 bridge is entirely within the State
20 Right-of-Way, which would be some
21 slope easements that might be
22 required. I can tell you on this
23 quadrant there is an existing limited
24 access right-of-way and we need to
purchase a sliver from there to extend
the new right-of-way outside of the
proposed pavement. Further to the
south, we have some properties that
have set aside land for future right-
of-way use because again in the
Department policy, it laid out that we
would be looking for a 50' right-of-
way that's 50' on either side of the
existing centerline. So these two
properties, the Spine Clinic and the
hotel have already provided for that
land we need to purchase it, but they
have set it aside for our use and
following through Hawthorne Drive to
the south, we would be looking to
continue that 50' right-of-way about
from this area here, where we can then
start tapering in to the existing
Route 3. So what we have is a design
that we feel accommodates the future
growth of the F.E. Everett Turnpike,
U.S. Route 3, the offline location
again, is less time and less money and

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1 it should provide less delays to the
2 traveling public and that concludes my
3 presentation.
4 ALEX VOGT: Thank you Trent. And I also want to
5 note that the project, we'll construct
6 sidewalks on both sides of Route 3 as
7 Trent noted. The Department of
8 Transportation, by policy and
9 practice, does not maintain sidewalks,
10 including the snow removal of the
11 sidewalks. This is considered a local
12 municipality responsibility and will
13 require a municipality agreement
14 between the Town of Bedford and the
15 Department. In addition we'll also be
16 looking for a work zone agreement with
17 the Town of Bedford. This spells out
18 traffic control responsibilities. So
19 at this time I'd like to thank Mr.
20 Chairman for our formal presentation
21 and ask you and the Special Committee
22 to find occasion for the layout as
23 presented here this evening. Thank
24 you.

CHAIRMAN WIECZOREK: Okay. Thank you very much. I would
like to introduce you to John Shea,
who is the Councilor in District 2,
who has now joined us. I would also
like to introduce the three alternates
that are here with us today, Ray
Chadwick, who is a Bedfordrite, Lee
Adams and Real Pinard, they are the
three alternates that will be assuming
all of the responsibility as soon as
we get through and make a
determination regarding the layout.
And let's see, did I see Senator
Roberge here? Yes I did. She's right
there. So we have the Dean of the
Council and the Dean of the Senate
here. Now, if we only had the Dean of
the Legislature, maybe we'd get
something done today, you know, that's
in good order. Now, are there any
state or local elected officials who
wish to speak? By God, that's the
first time. Well, I will now open the
hearing for comments, concerns or

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1 questions. Will anyone desiring to
2 ask questions or make statements,
3 please raise your hand and upon
4 recognition by me, please step to the
5 microphone, give your name and address
6 and make your statements. Okay.
7 JOHN LEVINSTEIN: My name is John Levinstein. I work at
8 25 Constitution Drive.
9 CHAIRMAN WIECZOREK: Is that recording? Are you getting
10 it?
11 SPEAKER: It's all set.
12 CHAIRMAN WIECZOREK: Okay. All right.
13 JOHN LEVINSTEIN: And I'm an attorney and I'm
14 representing the owners of 11 South
15 River Road, LLC and West Street Keene,
16 LLC. If I may, could I bring the
17 microphone over?
18 SPEAKER: Yes, come right up.
19 JOHN LEVINSTEIN: Our primary concern has to do with the
20 drainage and the easements which are
21 going to be requested on this
22 property, which is owned by 11 South
23 River Road, LLC. Actually, by way of
24 background, West Street Keene, LLC has
recently received approval to develop
this piece of property with a fast-
food restaurant in this area here and
an office building or retail building
in the back here. And part of that
approval, there was drainage studies
done, also some drainage which was
going to be installed along the
roadway up here. Also, this
intersection over here was designed
and approved by the planning board. I
provided a plan to the Department
which shows all of the details of
this, but this entranceway is designed
along with the entranceway for future
use, which would go into the property
over here which would allow this area
to be developed with access through
that lighted intersection. As part of
what the Department is proposing,
there are two effects primarily in the
front of the property here. The first
is there is an existing pipe which
comes from this side of the roadway

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1 where Target and Lowe's is underneath
2 Route 3 and presently empties right
3 over here and drains basically down
4 the slope, eventually going into the
5 brook or the Tioaga River which runs
6 along the back here. As part of the
7 West Street Keene proposal there's a
8 catch basin which was designed and
9 which will be constructed over here
10 catching...the water that's coming out
11 of that pipe bringing it down the road
12 to a treatment area which is somewhere
13 in here. One of the things which we'd
14 like the Department to consider is,
15 rather than extending the pipe now and
16 creating this treatment area in this
17 location as they have it proposed,
18 would be to utilize the system which
19 we've already designed and which has
20 already been approved by the planning
21 board. Sending that water from the
22 pipe that is going across the road,
23 down along the road and into this
24 treatment area which would eliminate
the need for this treatment area in
here and eliminate the need for the
easement or the extended easement that
is being requested. The second area
of concern to us is the pond which is
being proposed up in here, the
treatment pond. In the plan which I
provided to the Department it shows
the buildable area which can be
utilized for this piece of property.
Because of the brook in the back and
the wetlands some of the areas
(inaudible) the primary area that can
be developed is a triangle pretty much
in this configuration. Where the pond
is located will significantly, we
feel, affect our ability to build in
that area, particularly in conjunction
with this treatment area. We're not
totally eliminate the ability, but
would significantly decrease the
ability to develop that parcel. What
we would request that the Department
look at is instead of putting the

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1 detention pond here, putting some
2 sort of catch basin or area to catch
3 the water, send it back down here in
4 this area, which is shown on our plan
5 in more detail. There's a big, open
6 space where a pond can be placed to
7 catch the water to treat it and then
8 it can be disbursed across the highway
9 like it was going to be. So we'd like
10 the Department to look at that. We
11 have no problem granting easements
12 across the property so that these
13 areas can be maintained by the state
14 or can be worked on by the state. The
15 easements that are proposed now, if
16 the Department agrees with what we
17 would like them to do can be greatly
18 decreased rather than coming up here
19 they could basically be along what the
20 state already owns and then along the
21 back of the road over here. Again,
22 we've provided the Department with a
23 plan and we can get further details if
24 they would like so we can work
together. Hopefully, it will
alleviate some of the impact that it
will have on the developable area.
Thank you.

CHAIRMAN WIECZOREK: Thank you. Who's next? Wow! What
time is O'Reilly on? 8:00? I guess
we're going to make it.

JIM MAYO: Good evening. My name is Jim Mayo.
I'm representing Public Service
Company of New Hampshire, 330 North
Commercial Street in Manchester. We
have two primary concerns and it's
with the temporary access road and the
drainage from that second pond. We do
have a right-of-way utility corridor
there with three major lines. Hard to
tell from this plan exactly where it
is, I'm assuming that hard-green angle
is probably the right-of-way, but we
don't know that for a fact. Our
concern's with the drainage because of
that angle makes it very tough for us.
If you're in the station section of
right-of-way crossing the Station

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1 Section Road, we can hop over that
2 with new lines with anything we do,
3 but at an angle we're stuck there so
4 our preference is to see anything like
5 a drain line at least 50' away from
6 the angle so that we can do whatever
7 we need to do there with guides or
8 whatever we need to do. Our second
9 concern is that temporary access road.
10 I'm not sure where the right-of-way,
11 that is related to the right-of-way,
12 but if that's in the right-of-way we
13 may have some real problems with that.
14 I hope it's outside the right-of-way,
15 but it doesn't really show here. So
16 if that can be moved outside the
17 right-of-way would be better for us.
18 Thank you.
19 CHAIRMAN WIECZOREK: Thank you very much. Anyone else?
20 Councilor Burton?
21 COUNCILOR BURTON: Yes. I have some questions of the
22 Department. Does this project impact
23 public or private water supplies?
24 Just a yes or no.
ALEX VOGT: No.
COUNCILOR BURTON: And it doesn't disturb anybody's
spring or longtime source of water for
their house or their business?
ALEX VOGT: Not that I'm aware of.
COUNCILOR BURTON: And it does not come near any old
railroad beds or anything that had to
do with rail in this area?
ALEX VOGT: No.
COUNCILOR BURTON: And does Public Service plan to bury
any of their lines in the future?
JIM MAYO: No, we do not.
COUNCILOR BURTON: And does this have, the project have
any impact on Native American burial
grounds or anybody's private cemetery?
ALEX VOGT: No.
COUNCILOR BURTON: And does it impact any historic
markers that might have been grown
over by brush or filled over that the
Department has discovered in any test
boarings or any walking around in this
project area?
ALEX VOGT: No, it doesn't.
COUNCILOR BURTON: And I assume this has been through the

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1 Bedford Town family, the planning
2 board, selectmen, etc. and you have
3 letters of interest at least in this
4 project?
5 ALEX VOGT: Yes, we sent letters out to, and had
6 our previous meetings with the town.
7 COUNCILOR BURTON: Okay. And this project does not
8 landlock anyone after it's been
9 completed?
10 ALEX VOGT: That's correct.
11 COUNCILOR BURTON: And you're going to be taking out the
12 old bridge, are those just old cement
13 abutments? Are there any granite
14 pieces in there that the town might
15 like for a future project or even
16 state government as State DOT's always
17 looking for stone and any historic big
18 pieces of granite that might be of
19 interest and of value?
20 ALEX VOGT: No. I believe there may be some
21 curbing only.
22 COUNCILOR BURTON: And this of course, this project will
23 meet with ADA compliance. And what is
24 the sidewalk deck? Is it packed
gravel so that people in a wheelchair
might enjoy coming out on this or is
it all...tell me about the planned
pavement itself.
The sidewalks on each side are
supposed to be five-foot wide, paved
asphalt, at 1.6 percent, our normal
standard.
And this going over the turnpike, will
have the huge fence so that folks
can't toss things on cars coming by or
jump off the bridge?
Right. That's correct. We will have
a fence on there and also keep snow
from falling off onto the highway
below.
And the bridge that's currently over
there is steel, right?
It's steel with a concrete deck.
Steel with a concrete deck? Without
having been through one of these, I
don't want to ever see that bridge
again. Once it's gone, it should be
scrapped and not be kept rusting

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1 somewhere on a state property, "well,
2 we'll use it someday," and it appears
3 public again. It's rusty. It does
4 not give, in my opinion, speaking only
5 for myself, a good image for New
6 Hampshire State government,
7 particularly DOT, which I might add,
8 not to influence my associate members
9 or the members of the Commission, but
10 the Department of Transportation does
11 an excellent job, in my experience
12 within the details. You notice that
13 Alex had quick answers. He didn't
14 have to take two hours to answer what
15 kind of questions that I find very
16 appropriate on a project like this
17 when \$11 million dollars of your
18 public money is being used. Those are
19 my questions Mr. Chairman. Thank you.
20 CHAIRMAN WIECZOREK: Well you know, this is what happens
21 when you're there 31 years. How did
22 you say Abraham Lincoln? Was he
23 really articulate?
24 COUNCILOR BURTON: Yes he was, as a matter of fact.
CHAIRMAN WIECZOREK: I'm only kidding. No questions,
Councilor Shea? All right. Anybody
else wish to speak before we stop?
Come right up.
BOB RHEAULT: I'm Bob Rheault, 233 South River Road,
which is, for those around here, they
know that it's the original Station
Road, which is just south of the
turnpike. And I see in your proposal,
I was asking this gentleman over here
earlier tonight, that you have an
island in the middle of these four
lanes, which in my case is going to
only let me have the option of a right
turn out of my property and as it is
right now, Station Road, well the
original Station Road is sealed off at
the property line down the hill where
our land meets the church property.
It's gated, and I believe it's
intended for only for the fire
department access, but anyway, we've
been there over 40 years with
(inaudible) and my brother, Roger, is

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1 here tonight also. And it was our
2 parents' property and my father had an
3 excavator business which I still run
4 today and my father died. And that
5 would be a real issue for me to just
6 end up with a right-turn out of there,
7 you know, I have to come in and out
8 there with trucks and equipment and,
9 at any rate, that's my first concern.
10 And the other thing is we do have a
11 well and it's in front of our house
12 and you're not going to be that far
13 away from it, so I do have some
14 concerns about salt issues and that.
15 I don't know if at some point that
16 could be a problem. And anyway, as of
17 right now, the right turnout is my
18 major concern. Thank you.
19 CHAIRMAN WIECZOREK: Okay. Thank you very much. Is there
20 anyone else? Come right up.
21 JOHN ZDZIARSKI: John Zdziarski, 32 West Drive. I
22 don't live anywhere near this area and
23 I don't normally come to planning
24 meetings, so I kind of sleep through
them, but I have a great amount of
respect that you guys can sit here and
listen to me talk, but my big concern
with this is not what's happening
right now. My big concern as a
taxpayer, is what is going to happen
in 2013 or so when this project is
complete and there's already talk
about us adopting this as a Class IV
town road. I'm concerned about the
potential financial impact on the
town, what it's going to do to our
taxes. So far I've been asking around
and I haven't heard anything, maybe to
premature even to get figures, but
just on the annual upkeep on the
sidewalks, the plowing, once this
becomes ours, presuming for a minute
that it does become ours, you know,
are we talking half a million dollars,
a million dollars? What's it going to
cost the town in, you know, five to
ten years to maintain this? I had
heard last year that we had conducted

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1 a small experiment maybe a couple
2 other experiments on Route 3 using
3 recycled tires and things like that in
4 the road to see what we could do to
5 stretch out the service life of Route
6 3, and I'm wondering if perhaps we
7 could take a look at some of the
8 results of those experiments and
9 consider ways that we could make this
10 particular improvement to have a much
11 longer service life. I think, you
12 know, from what I've heard on service
13 life, you know, most town roads is
14 only about 15 years, maybe 20 years,
15 I'm wondering if there's a way that we
16 can build this to, you know, to
17 possibly have a service life of 30 or
18 40 years perhaps with some of the new
19 technologies that we have been
20 experimenting with. That's my biggest
21 concern is just, you know, right now
22 it's being paid for with turnpike
23 funds, ten years from now this is
24 going to be coming out of my pocket,
so I'd like to know just what we're
getting into here.

CHAIRMAN WIECZOREK: Okay. Thank you very much. Is there anyone else?

ALEX VOGT: May I comment on that?

CHAIRMAN WIECZOREK: Yes.

ALEX VOGT: I just want to comment on the service life. We're going to fully reconstruct the roadway so it will be a brand new roadway with full, box, all the below-grade gravels and sand below that and the appropriate amount of pavement on top. Usually on a road like this we'll have about five inches of pavement. We have an extensive research and design section that does analyze what the needs for the roadway are, but honestly asphalt doesn't last 30 years before you have to go back and retreat it. So on a roadway like this, you should go back every ten or 15 years and put a new surface on and depending on how it's holding up, you can either grind off some and put some

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1 on or just put new overlay. So
2 there's some cost, but with the new
3 roadway it will be a lot less to
4 maintain than an older roadway.
5 Concerning your first comment about
6 this being turned over to the town,
7 there's nothing in the works regarding
8 that. But, obviously as roads do get
9 congested and become more urbanized,
10 it is more appropriate to have the
11 town maintain something that's really
12 an urban road, so as time has gone by,
13 the urban compact has moved down and
14 has currently just south of the Lowe's
15 driveway, but in the future, depending
16 on how things develop out here, we
17 don't know where the urban compact may
18 end up.

19 CHAIRMAN WIECZOREK: Okay. Thank you. Is there anyone
20 else wishing to speak? Come right up.

21 BILL DEMMERLE: Bill Demmerle, 265 South River Road.
22 The orange section you have on the
23 map. I have concerns about traffic.
24 Right now the turn lane starts at the
beginning of my driveways and people
are using the end of my driveways to
get into the turn lane and my
customers are in danger of being hit.
When this was first put in I tried to
approach the town about curbing or
something to control the traffic and
basically didn't want to talk to me
about it. I also have concerns about
water shed off of the highway caused
wash-outs in my property from the road
construction. I had to have curbing
constructed about 75' down through my
property into the parking lot to
control the water shed, so that and
the easement that you are looking for
is going to put the road almost in my
bedroom. So I'm curious to talk to
someone about that. That's it.

CHAIRMAN WIECZOREK: Thank you very much. Anyone else?

ALEX VOGT: Well, I'm not sure exactly where your
location is, but I would certainly...

CHAIRMAN WIECZOREK: Want to show him on the map?

ALEX VOGT: 17? Okay.

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1 BILL DEMMERLE: This is my driveway right here.
ALEX VOGT: Okay.
2 BILL DEMMERLE: This is the main driveway for the
3 business and our home, and the gravel
4 driveway to the north (inaudible).
Outside where your proposed easement
5 ALEX VOGT: Okay.
6 BILL DEMMERLE: There's an underground electrical in
here, there's an island with a sign in
7 it and lighting. There's a street
light on the (inaudible).
8 ALEX VOGT: Well, during final design we'll be
willing to work with you to identify
9 and improve the situation that's out
there.
10 BILL DEMMERLE: I appreciate it. Thank you.
CHAIRMAN WIECZOREK: Thank you very much. Anyone else?
11 There being no indication of anyone
12 remaining who desires to be heard,
this hearing is adjourned and is
13 adjourned at approximately 7:49.
Thank you all very much for coming and
14 I want to thank everybody here, my DOT
and my two fellow councilors and our
alternates that are here.
15 (HEARING ADJOURNED)
16
17
18
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20
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22
23
24

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1 STATE OF NEW HAMPSHIRE
2 MERRIMACK, SS.
3

4 I, Jeanette P. Patten, do hereby certify that I
5 transcribed from a tape recording, the foregoing pages and that
6 the same is a true, full and correct transcript of all of the
7 testimony at the hearing, to the best of my knowledge and
8 belief.

9 I further certify that I am neither attorney nor
10 counsel for, nor related to or employed by any of the parties
11 to the action in which this hearing was taken, and further that
12 I am not a relative or employee of any attorney or counsel
13 employed in this case, nor am I financially interested in this
14 action.
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24


Jeanette P. Patten/Notary Public

Robert A. Patten
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Alex Vogt

THE LAW OFFICE OF RODNEY L. STARK
PROFESSIONAL ASSOCIATION
THE CORPORATION HOUSE
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April 2, 2009

Raymond J. Wieczorek, Chairman of the Special Committee
c/o William J. Cass, Director of Project Development 
New Hampshire Department of Transportation
PO Box 483, 7 Hazen Drive
Concord, NH 03302-0483

RE: Bedford, 13527
Public Hearing
McKelvie Middle School

Dear Mr. Wieczorkek:

Enclosed please find a REQUEST OF THE COMMISSION relative to the above-references project.

If you have questions please give me a call.

Very truly yours,



Rodney L. Stark

RLS/mg

Enclosures:

cc: Robert Rheault
Roger Rheault

RECEIVED
COMMISSIONERS OFFICE

APR 03 2009

THE STATE OF NEW HAMPSHIRE
DEPT. OF TRANSPORTATION

MARCH 25, 2009

Re: BEDFORD, 13527
PUBLIC HEARING
MCKELVIE MIDDLE SCHOOL

Attention: Raymond J. Wieczorek, Chairman of the Special Committee
c/o William J. Cass, Director of Project Development
New Hampshire Department of Transportation
PO Box 483, 7 Hazen Drive
Concord, NH 03302-0483

Dear Sir:

Due to information received during the Public Hearing process for the above-referenced project I(we) hereby make the following request of the Commission:

SEE ATTACHMENT.

I (we) understand that I (we) will be notified in writing of the Commission's decision regarding this request. I(we) also understand that this request will be included as part of the official record.

Signed:

Robert Rheault

Name:

Roger Rheault
(Please Print)

Address:

233 So. River Road

Bedford N.H. 03070

03110-6823

Phone: #

603-623-~~5122~~

6613 (Home)

493-7884 (cell)

NH DOT Project Parcel # *13527*

ATTACHMENT TO REQUEST OF COMMISSION

RE: Bedford, 13527
Public Hearing
McKelvie Middle School

1. The D.O.T. preliminary plan does not provide an opening in the center island for the Rheault property at 233 South River Road. Access to our (Robert and Roger Rheault) property will be severely restricted to only a north bound exit and entrance to our property. Robert (and his father before him) has operated an excavation business on our property for over 40 years, and having no ability to turn into our driveway in a south bound direction is a severe and unfair hardship on the use of property. With no south bound entrance to our property, fire and emergency vehicles will not have ready access to our property. We would request that the D.O.T. modify its preliminary plan to provide for an opening in the center island for this access. It is noteworthy that our driveway is the only driveway within the limits of the proposed center island which has no opening. There are no reasonable alternatives available to us. We will be in effect land locked to a substantial degree.
 2. Our well is adjacent to and downhill from the relocated Route 3. We are concerned that our well will become salted and destroyed.
 3. During his presentation of the Public Hearing, the D.O.T. Project Manager stated that there would be a "temporary access issues to the Rheault property during construction". We would like to have an explanation of what these issues will be and how the D.O.T. plans to assure that we have sufficient access to our property at all times during construction.
-

DANIEL J. KALINSKI, ESQUIRE


Attorney at Law

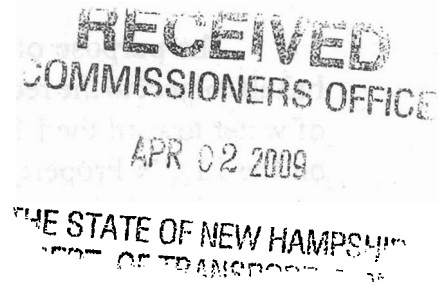
16 Salmon Street, Manchester, N.H. 03104

Telephone: (603) 644-4900

Fax: (603) 644-4961

April 1, 2009

William J. Cass, Director 
Project Development
NH Department of Transportation
P.O. Box 483
Concord, NH 03302-0483



Re: Public Hearing - Bedford, 13527

Dear Mr. Cass:

I represent Sakkara Properties, LLC (hereinafter the "LLC"), owner of the parcel of land located at 201 South River Road in Bedford, New Hampshire (hereinafter the "Property"). Mark Carignan is the managing member of the LLC.

Mr. Carignan attended the public hearing conducted by the New Hampshire Department of Transportation (hereinafter "DOT") on March 25, 2009 at the McKelvie Middle School regarding the replacement of the US Route 3 Bridge over the F.E. Everett Turnpike in Bedford and associated improvement to US Route 3 (hereinafter the "Project"). The Project's preliminary plan (hereinafter the "Plan") was reviewed and discussed at the meeting. Mr. Carignan understands that the Plan proposes the placement of a retention pond on the north side of U.S. Route 3 near the proposed bridge.

An attorney for West Street Keene, LLC (hereinafter "West Street") spoke at the public hearing. Mr. Carignan does not remember his name. The attorney stated that West Street owns a parcel or parcels of land on which the retention pond is proposed to be situated. He also stated that West Street has received approval from the Town of Bedford for a commercial project on that parcel or parcels.

The attorney asked the DOT to consider eliminating the retention pond and to direct the flow of water toward the LLC's Property which is situated approximately 1000 feet westerly of the West Street property. The contour of the land slopes downward westerly

William J. Cass, Director

April 1, 2009

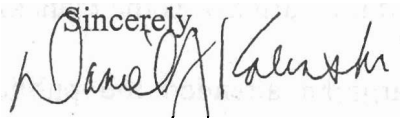
Page 2

from West Street's property to the LLC's Property. The stated reason for the change is that West Street Keene wants the use of more of the land for its commercial project.

The purpose of this letter is to inform you that the LLC (and Mr. Carignan on its behalf) object to the request of West Street to eliminate the retention pond and direct the flow of water toward the LLC's Property if it results in an increase in the current flow of water on the LLC's Property. There is already a small retention pond on the LLC's Property pursuant to a drainage easement with the State of New Hampshire. The LLC objects to any additional water flowing onto the LLC's Property as it may negatively impact the LLC's future use of the Property.

I understand from your March 10, 2009 letter that this letter will be included in the transcript of the hearing.

Thank you for your attention to this matter.

Sincerely,

Daniel J. Kalinski

DJK/m

cc: Mark Carignan, Member,
Sakkara Properties, LLC



MEETING ATTENDANCE

Bedford: US 3 bridge replacement over the F.E. Everett Turnpike
Bedford McKelvie Middle School, Bedford, NH

PROJECT NO.

LOCATION

Turnpike
Federal

13527
State

Name	Agency or Address	Comments
------	-------------------	----------

Real R River	LCM.	
Joe Adams	300 River Rd, Wilm., 03104	
RAY CHADWICK	101 River Hill, Bedford 03110	
Marcia Demmerle	216 So River Rd, Bedford NH	
Bill Demmerle, Jr.	265 So River Rd Bedford NH	
Marcia Demmerle	334 So River Rd Bedford NH	
Mark Demmerle	Sokkara Properties LLC	
Jon Willis	258 South River Rd	
Michael Sandhill	250 South River Road - Vista Heights Properties.	
Guy Chabot	MANCHESTER WATER WORKS	
Bob Rheault	233 So. River Rd	
Ronald Smith, Esq	121 Middle St, Manchester	
ROGER RHEAULT	233 So. River Rd.	
Bill Cuss	NH DOT	
Eddy Bosiak	NH DOT	
NASSER YARI	NH DOT	
BOB AUBREY	NH DOT	
MIKE DUGAS	NH DOT	
Jim White	SNHPC	
Ed Rooney	3 Hawthorn Dr	
Shale Koberge	111 South, Dpt 953 Oldtown	
Jon Levenson	25 Cont. Dr, Bedford, NH representing	
Rick Sawyer	Town of Bedford, 2441 Amherst	
Jim Stanford	Town of Bedford 24 W. Amherst Rd, Public Works Director	
Jonathan 202 wski	32 West Dr.	How much will this cost the town to maintain when and where
EMMANUEL G. NICHOLAS	Bedford Town, ARE Church Bedford	
Maggie Baldwin	NH DOT	

MEETING ATTENDANCE

Bedford: US 3 bridge replacement over the F.E. Everett Turnpike

Bedford McKelvie Middle School, Bedford, NH

Turnpike

13527

State

PROJECT NO.

LOCATION

PROJECT

[illegible]

Sheet of

Date _____

March 25, 2009

